

Remarks

The Office Action was reviewed with care in preparation for this amendment and response. Applicants thank the Examiner Parsley for his careful examination.

Interview Summary

The undersigned thanks Examiner Parsley for the interview of January 7, 2009, during which the nature of the response and of amended independent claim 77 was discussed. More specifically, the Cooper et al. reference was discussed with respect to a limitation in applicant's independent claim 77 which required that the light body have a single inner recess and that the LED and the battery both be secured within the single inner recess. Based on Examiner Parsley's suggestion, the undersigned agreed to further clarify the independent claim 77 to specifically state that the LED and the battery are both "*entirely disposed* within the single recess" of the light body. The undersigned noted that such minor amendment does not raise any new issues.

Based on the points made and after reviewing each of the Figures 8-10 of the Cooper et al. reference, the Examiner stated that, adjusted as described above, claim 77 overcomes the rejections based on the Cooper et al. reference in view of various secondary references.

The same change has been made in independent claim 86.

A new slightly broader independent claim 92 has been added which includes all patentable limitations of claim 77. Claim 92 requires that *all* of the illuminator be disposed in the distal end of the handle, that the illuminator include a light body which has a *single* inner recess and that the LED and the battery both be *entirely disposed* within the single inner recess. The new independent claim 92 is patentably distinct over the Cooper et al. reference alone or in combination with other secondary references.

The undersigned thanks the Examiner for indicating the likelihood of allowance at this time.

Allowance of all claims is respectfully requested.

Points in the Office Action

After the above amendment, claims 77-84, 86, 92 are pending in the application.

Claims 77, 80-82, 84 and 86 were rejected under 35 USC 103(a) as unpatentable over Cooper et al. in view of Blaschke and further in view of Baker. Claims 77, 80-82, 84 and 86 are now in condition for allowance, as set forth below.

As already stated above, independent claim 77 is now amended to more clearly emphasize that the LED and the battery are both *entirely disposed* within the single recess. Independent claim 86 has been amended to include the same adjustment. These amendments should not prompt any new search, considering that no new element has been added.

As already mentioned above, during the interview the Examiner stated that independent claim 77, as adjusted, is patentably distinct over the Cooper et al. reference. Thus, all claims dependent on claim 77, including claims 80-82 and 84, as well as independent claim 86, as adjusted, are patentably distinct over the Cooper et al., Blaschke and Backer, alone or in combination.

Dependent claim 78 was rejected under 35 USC 103(a) as unpatentable over Cooper et al. in view of Blaschke and further in view of Baker. This rejection is respectfully traversed in view of the foregoing amendments of the parent independent claim 77 and the above discussion. Claim 78 is in condition for allowance.

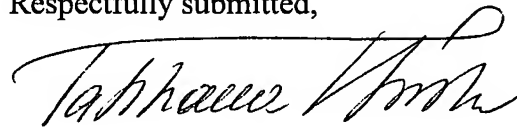
Dependent claim 79 was rejected under 35 USC 103(a) as unpatentable over Cooper et al. in view of Blaschke, Baker and further in view of Shiao. This rejection is respectfully traversed in view of the foregoing amendments of the parent independent claim 77 and the above discussion. The Cooper et al., Blaschke, Baker and Shiao patents, even in combination, fail to render obvious applicants' invention as set forth in claim 79. Claim 79 is in condition for allowance.

Dependent claim 83 was rejected under 35 USC 103(a) as unpatentable over Cooper et al. in view of Blaschke, Baker, Shiao and further in view of Brundage et al. This rejection is respectfully traversed in view of the present amendment of the independent claim 77, upon which this claim depends, and the above discussion. The Cooper et al., Blaschke, Baker, Shiao and Brundage et al. patents, alone or in combination, fail to render obvious applicants' invention as set forth in claim 83.

In view of the above, allowance of this application is requested. The Examiner is invited to call the undersigned to resolve any issues that might remain.

Date: January 8, 2009

Respectfully submitted,

A handwritten signature in black ink, appearing to read 'Tatsana V. Fenster', written in a cursive style.

Tatsana V. Fenster
Registration No. 62,320

Jansson Shupe & Munger Ltd.
245 Main Street
Racine, WI 53403
Telephone: (262) 632-6900
Facsimile: (262) 632-2257